



OFFICE OF LEGISLATIVE LIAISON

LEGISLATIVE DIGEST

Matters of Interest to the Department of the Air Force
in the Congressional Record of December 8, 2003

Vol: 149 No: 175 Date prepared: December 9, 2003

Congressional Action Division (SAF/LLZ)
Ext: 693-9137/693-9135

Legislative Research Team products are available to HAFNET users via the "LL" "Research" button, and to ".mil" addressees on the Internet at www.safll.hq.af.mil via the "Legislation" button.

HIGHLIGHTS DECEMBER 8, 2003

OMNIBUS APPROPRIATIONS: By a vote of 242-176 the House agreed to the conference report on H.R.2673, the FY04 omnibus appropriations bill, clearing the measure for Senate action. The measure includes 7 of the regular 13 appropriations bills for FY04 including Agriculture, Labor-HHS, Transportation-Treasury, Foreign Operations, Commerce-State-Justice, VA-HUD-NASA, and the District of Columbia. **(Research Team note: the Senate is not expected to complete action on the measure prior to the sine die adjournment of the 1st Session of the 108th Congress. The current continuing resolution (P.L.108-135) provides funding through January 31, 2004 for those Federal agencies and activities for which regular FY04 appropriation bills have not yet been enacted)**

SINE DIE ADJOURNMENT – 1ST SESSION: Pursuant to the provisions of H.Con.Res.339, the adjournment resolution, the House has adjourned sine die for the 1st Session of the 108th Congress, to next convene on Tuesday, January 20, 2004. The Senate is expected to adjourn sine die at the completion of business on Tuesday, December 9, 2003.

SOLDIERS AND SAILORS CIVIL RELIEF: House agreed to the Senate amds to H.R.100, the Servicemembers Civil Relief Act, clearing the measure for the White House. (H12868-78) See House portion of this Digest for details.

MILITARY EQUIPMENT / CORROSION: House received an executive communication (#5730) from the Acting Under Secretary, Department of Defense, transmitting a report entitled ``Long-Term Strategy to Reduce Corrosion and the Effects of Corrosion on the Military Equipment and Infrastructure of the Department of Defense,'' pursuant to 10 U.S.C. 2228; to the Committee on Armed Services. Text does not appear. (H12910)

HOUSE OF REPRESENTATIVES, DECEMBER 8, 2003

TRIBUTE: Rep Wilson (R-NM) informed her colleagues on the passing of former New Mexico Congressman Joe Skeen, who died Sunday, December 8 from complications associated with Parkinson's disease. Reps Hoyer (D-MD), Dicks (D-WA) and Udall (D-NM) briefly spoke in honor of the late Rep Skeen. (H12760)

OMNIBUS APPROPRIATIONS: By a vote of 242-176 (Roll#676), the House agreed to the conference report on H.R.2673, the FY04 omnibus appropriations bill, clearing the measure for Senate action. The measure includes 7 of the regular 13 appropriations bills for FY04 including Agriculture, Labor-HHS, Transportation-Treasury, Foreign Operations, Commerce-State-Justice, VA-HUD-NASA, and the District of Columbia. Rep Young (R-FL) commended the House for its job in passing all of the appropriations bills. Argued the report needs to be passed this month and not in January or February. Said the continuing resolution, H.J.Res. 79 (which was passed earlier in the session), does not provide the needed increase in funding for various projects that are provided in the conference report. This includes increased funding for veteran's health care and homeland security. Rep Kolbe (R-AZ) remarked the report provides over \$17 billion for foreign operations, an increase of \$115 million from the House passed bill. Said the report provides \$1 billion for the Millennium Challenge Corporation; a program that encourages wealthier nations to help poorer countries rise out of poverty. In addition, said the report provides almost \$4.5 billion in military assistance, including \$2.2 billion for Israel, \$1.3 billion for Egypt and \$206 million for Jordan. Rep Obey (D-WI) spoke in opposition to the conference report. Argued the report removed many provisions included in the earlier passed bills. Pointed out the report removed the overtime protections for workers that both Houses of Congress had passed. Also, the agreement reached between the House and DOD concerning outsourcing had been removed. Rep Evans (D-IL) also opposed the report. Said for the second year in a row the VA is not being provided with an adequate or timely budget. Because of the delay in getting their appropriations passed, the VA has missed the "prime time in the academic cycle" to recruit qualified doctors. The funding table for each of the appropriations bills appears on pages H12767-822. (H12766-H12845)

CONGRESS: By a vote of 207 yeas to 182 nays (Roll#677), the House agreed to table H. Res. 474, concerning a matter of privileges in the House – circumventing the will of the House by holding votes open beyond a reasonable period. Rep Pelosi (D-CA) said the American people expect a "fair and open airing of issues" effecting them. Argued the Republican leadership has limited debate on many important issues. Pointed to the vote of Medicare, which was limited to 2 hours of debate. Also, expressed dismay that votes on important issues would take place "in the middle of the night", e.g., at 2:54 am the House cuts veterans' benefits; at 1:56 am the House barely passed the "leave no millionaire behind" tax bill; and at 12:12 am the House voted \$87 billion for Iraq. Said the American people deserve to hear these debates "in the light of day." (H12846-54)

COMMITTEE APPOINTMENT: The House agreed to H. Res. 476, providing for a committee of two Members to be appointed by the House to wait upon the President of the United States and inform him that the two Houses have completed its business of the session and are ready to adjourn, unless the President has some other communication to make to them. Subsequently, the Chair announced the appointment of Reps DeLay (R-TX) and Pelosi (D-CA) to the committee. (H12854)

HOUSE OF REPRESENTATIVES, DECEMBER 8, 2003

MILITARY PERSONNEL: The House agreed to the Senate amendments to H.R. 100, to restate, clarify, and revise the Soldiers' and Sailors' Civil Relief Act of 1940. Rep Michaud (D-ME) rose in support. Expressed his happiness that the bill extends these protections to members of the National Guard. Rep Smith (R-NJ) discussed various provisions in the bill. Said it provides needed protections for our service members. The text of the bill appears on pages H12868-76. (H12868-78) Summary as provided by the GOP Committee Central web site: H.R. 100 is a comprehensive restatement of the Soldiers' and Sailors' Civil Relief Act of 1940 that will clarify and strengthen the rights and protections it provides to persons in military service. The Act's coverage includes servicemembers' financial obligations and liabilities, such as rent, mortgages, installment contracts and leases; civil (but not criminal) legal proceedings; life insurance; taxes; and rights in public lands. Significant improvements H.R. 100 will make include:

- Clear guidance that a tax jurisdiction may not use the military compensation of a non-resident servicemember to increase the tax liability imposed on other income earned by the non-resident servicemember or spouse subject to tax by the jurisdiction.
- Clear guidance that the 6 percent interest rate cap for obligations and liabilities of servicemembers incurred before military service results in a reduction of monthly payments and that any interest in excess of the cap is forgiven, consistent with the Act's objective of reducing monthly obligations for mobilized National Guard or Reserve members who may have a reduced income.
- A right for any active duty servicemember who has permanent change of station orders or who is being deployed for more than 90 days to terminate a housing lease. Currently, a servicemember can be obligated to pay rent for housing he or she is unable to occupy because of a government required move.
- Updated eviction protection to reflect the increase in the cost of rental housing. The current Act only applies to leases of less than \$1,200 per month; H.R. 100 will increase that amount to \$1,700, and the amount will increase each year in accordance with a housing rental index.
- An increase in the coverage level for protection against the lapse of life insurance policies when an individual enters military service from \$10,000 to \$250,000 or the Servicemembers' Group Life Insurance (SGLI) maximum, whichever is greater.
- Coverage of all motor vehicles and other property by the Act's installment contract protections, so that in the case of a servicemember who, for example, has fallen behind on car lease payments, the lessor must obtain a court order before repossessing the car.
- Clarification that the Act's rights and protections apply to civil administrative proceedings, such as license and zoning matters, which are far more common today than they were in 1940.
- Improved protection of servicemembers against default judgments.
- An expansion of the professional liability protections to include legal services.

HOUSE OF REPRESENTATIVES, DECEMBER 8, 2003

DEFENSE PRODUCTION ACT: The House agreed to the Senate amendments to the House amendments on S. 1680, to reauthorize the Defense Production Act of 1950, clearing the measure for the President. The Defense Production Act of 1950 authorizes the President to prioritize and allocate contracts with private industry for the purpose of promoting the national defense. In addition to the Act's authorities for prioritizing and allocating federal contracts, it also provides the Government the legal authority to guarantee financing for the recapitalization of private industry consistent with national security requirements. Rep Oxley (R-OH) said the bill reauthorizes the Act for 5 years. The bill also added as a specific goal of the DPA the protection of the nation's critical infrastructure. Said one of the more important aspects of the bill is to create a US defense production capability where none now exists, e.g., the ability to produce radiation-hardened electronics for use in defense satellites. (H12861-62)

MENTAL HEALTH: The House passed S. 1929, the Mental Health Parity Reauthorization Act of 2003, to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to extend the mental health benefits parity provisions for an additional year. (H12863-64)

5TH CONTINUING RESOLUTION: By voice vote the House passed H.J.Res.82, providing continuing appropriations through January 31, 2004, for those Federal agencies and activities for which regular FY04 appropriations bills have not yet been enacted, clearing that measure for the Senate. Rep C.W. Bill Young (R-FL) explained that the 5th continuing resolution contained the same expiration date as the existing 4th CRA, but corrected two "anomalies" related to FHA loan commitments and FAA operations account staff offices that would cause a mortgage loan guarantee program to exceed authorized levels and cause the furlough of 443 FAA staff. (H12865)

CONGRESS: Rep Hastert (R-IL) provided an assessment of the 1st Session of the 108th Congress. Said as the session began the country was engaged in a struggle against terrorism and the economy was struggling. Argued they have made the country more secure through the passage of 3 different supplemental appropriations bills for support our war on terror. In regards to our military the President signed the Military Family Tax Relief Act and the DOD Authorization bill provided concurrent receipt benefits for many veterans. Argued the President's two tax cuts have helped to strengthen the economy. Said manufacturing output is at its highest level in 2 decades. Also, said the Medicare and Energy bills would provide great benefits for our country and its citizens. As for the next session said there is work that needs to be done on the welfare and tax systems. (H12880-81)

PRESIDENTIAL MESSAGE: Read a letter from the President wherein he transmitted the annual report of the Railroad Retirement Board--referred to the Committees on Transportation and Infrastructure and Ways and Means. (H12878)

SENATE, DECEMBER 8, 2003

The Senate was not in session today. It next meets on Tuesday, December 9, 2003 at 10 a.m.

EXTENSIONS OF REMARKS, DECEMBER 8, 2003

TRIBUTE: Rep Israel (D-NY) paid tribute to the New York ANG's 106th Air Rescue Wing for a recent rescue operation in Iraq that saved the lives of two soldiers injured when their CH-47 helicopter was downed in fighting. Offered his thanks and appreciation to Col Mike Canders and his entire unit for their dedicated service. (E2474)

BILLS INTRODUCED, DECEMBER 8, 2003

HOUSE

By Mr ISSA:

H.R. 3651. A bill to account for all aliens unlawfully present in the United States by providing incentives for such aliens to register with the Secretary of Homeland Security, to provide immunity from criminal prosecution for the employer of such an alien if the employer pays all taxes and penalties owed by reason of such employment, and for other purposes; to the Committee on the Judiciary

By Mr CASE (for himself and Mr ABERCROMBIE):

H.R. 3653. A bill to provide authorities to, and impose requirements on, the heads of executive agencies in order to facilitate State enforcement of State tax, employment, and licensing laws against Federal construction contractors; to the Committee on Government Reform, and in addition to the Committee on Armed Services

By Mr KUCINICH (for himself and Reps HOFFEL, CONYERS, and HINCHEY):

H.R. 3657. A bill to preserve the cooperative, peaceful uses of space for the benefit of all humankind by prohibiting the basing of weapons in space and the use of weapons to destroy or damage objects in space that are in orbit, and for other purposes; to the Committee on Science, and in addition to the Committees on Armed Services, and International Relations

By Mr CHRIS SMITH (for himself and others):

H.R. 3659. A bill to amend title 38, United States Code, to enact into law eligibility of certain Reservists and their dependents for burial in Arlington National Cemetery; to the Committee on Veterans' Affairs

By Mr ANDREWS

H.R. 3663. A bill to waive copayments and deductibles for military personnel who qualify for TRICARE and use other health insurance as their primary form of coverage; to the Committee on Armed Services

By Mr EMMANUEL (for himself and others):

H.R. 3673. A bill to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts in Iraq, and for other purposes; to the Committee on the Judiciary

By Mr HOBSON (for himself and Ms PRYCE and Mr TIBERI):

H.R. 3675. A bill to transfer administrative jurisdiction of a parcel of real property comprising a portion of the Defense Supply Center in Columbus, Ohio, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs

BILLS INTRODUCED, DECEMBER 8, 2003

HOUSE

By Mr HOLT (for himself and many others):

H.R. 3676. A bill to strengthen the national security through the expansion and improvement of foreign language study, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Intelligence (Permanent Select), and Armed Services

By Ms KILPATRICK

H.R. 3682. A bill to amend title 49, United States Code, to clarify certain Buy America provisions; to the Committee on Transportation and Infrastructure.

By Mr CHRIS SMITH (for himself and Mr SAXTON and LOBIONDO):

H.R. 3695. A bill to establish a pilot and demonstration program in New Jersey and elsewhere to improve security on military installations and to improve the quality of defense contractors and subcontractors; to the Committee on Armed Services

By Ms TAUSHCER (for herself and several others):

H.R. 3696. A bill to amend title 10, United States Code, to provide a temporary increase in the minimum end strength level for active duty personnel for the Army, the Marine Corps, and the Air Force, and for other purposes; to the Committee on Armed Services

By Mr YOUNG (FL):

H.J. Res. 82. A joint resolution making further continuing appropriations for the fiscal year 2004, and for other purposes; to the Committee on Appropriations. considered and passed

MEASURES REPORTED, DECEMBER 8, 2003

HOUSE

H.Res. 473 - waiving points of order against the conference report to accompany [H.R. 2673](#), making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004 (H. Rept. 108-402)

H.R. 3478 - to amend title 44, United States Code, to improve the efficiency of operations by the National Archives and Records Administration (H. Rept. 108-403)

COMMITTEE MEETINGS, DECEMBER 8, 2003

HOUSE

OMNIBUS APPROPRIATIONS – RULE

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany [H.R. 2673](#), Consolidated Appropriations Act, 2004, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Young and Representatives Obey and Andrews

EXECUTIVE COMMUNICATIONS, DECEMBER 8, 2003
HOUSE

5729. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule--Defense Federal Acquisition Regulation Supplement; Competitiveness Demonstration Codes Update [DFARS Case 2003-D003] received November 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services
5730. A letter from the Acting Under Secretary, Department of Defense, transmitting a report entitled ``Long-Term Strategy to Reduce Corrosion and the Effects of Corrosion on the Military Equipment and Infrastructure of the Department of Defense," pursuant to 10 U.S.C. 2228; to the Committee on Armed Services
5731. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule--Defense Federal Acquisition Regulation Supplement; Central Contractor Registration [DFARS Case 2003-D040] received November 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services
5732. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule--Defense Federal Acquisition Regulation Supplement; DoD Activity Address Codes in Contract Numbers [DFARS Case 2003-D005] received November 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services
5733. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule--Defense Federal Acquisition Regulation Supplement; Competition Requirements for Purchases from a Required Source [DFARS Case 2002-D003] received November 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services
5734. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule--Defense Federal Acquisition Regulation Supplement; Provisional Award Fee Payments [DFARS Case 2001-D013] received November 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services
5735. A letter from the Register Liaison Officer, Department of Defense, transmitting the Department's final rule--TRICARE; Changes Included in the National Defense Authorization Act for Fiscal Year 2003 (NDAA-03) (RIN: 0720-AA85) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services
-

NEW PUBLIC LAWS

[H.R. 1588](#), the FY04 DoD authorization bill. Signed on November 24, 2003. (Public Law 108-136).

[H.R. 2754](#), making appropriations for energy and water development for the fiscal year ending September 30, 2004. Signed on December 1, 2003. (Public Law 108-137).

[H.R. 1683](#), to increase, effective as of December 1, 2003, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans. Signed on December 3, 2003. (Public Law 108-147).

[H.R. 2622](#), to amend the Fair Credit Reporting Act, to prevent identity theft, improve resolution of consumer disputes, improve the accuracy of consumer records, make improvements in the use of, and consumer access to, credit information. Signed on December 4, 2003. (Public Law 108-159)
